

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KLAUSNER TECHNOLOGIES, INC.,

Plaintiff,

v.

QWEST COMMUNICATIONS CORP.;
QWEST CORP.; YAHOO! INC.,
PANASONIC CORP. OF NORTH
AMERICA; AVAYA, INC.; and CISCO
SYSTEMS, INC.,

Defendants.

Civil Action No. 6:09-CV-00232-LED

ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration the Joint Motion of the parties Plaintiff and Counterclaim-Defendant Klausner Technologies, Inc. (“Klausner Technologies”) and Defendant Avaya, Inc. (“Avaya”) to dismiss with prejudice all claims asserted or which could have been asserted by either party between them, and the Court being apprised of the grounds therefore and being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that the Court hereby modifies its February 10, 2011 Order of Dismissal (Dkt. No.141), and that all claims or causes of action asserted in this suit between Klausner Technologies and Avaya are hereby dismissed with prejudice to the right of these parties to assert in the future any such claims or any claims which could have been asserted in this suit. It is further ORDERED that all costs are assessed against the party who incurred them.

So ORDERED and SIGNED this 27th day of April, 2011.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**